

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

LAUREL D. LIBBY, State Representative of
Maine House District 90, RONALD P. LEBEL,
WENDY MUNSELL, JASON LEVESQUE,
BERNICE FRASER, RENE FRASER, and
DONALD DUBUC,

Plaintiffs,

v.

RYAN M. FECTEAU, in his official capacity
as Speaker of the Maine House of
Representatives, and ROBERT B. HUNT, in
his official capacity as Clerk of Maine House,

Defendants.

Civil Action No. 1:25-cv-00083-MRD

**DEFENDANTS' RESPONSE TO MOTION TO PARTICIPATE AS *AMICUS CURIAE*
FILED BY FOUNDATION FOR INDIVIDUAL RIGHTS AND EXPRESSION**

Defendants Ryan M. Fecteau and Robert B. Hunt submit this response to the motion of the Foundation for Individual Rights and Expression (FIRE) to file an *amicus curiae* brief in support of Plaintiffs' Motion for Preliminary Injunction. *See* ECF No. 33. With their motion, FIRE filed a proposed *amicus* brief entitled “*Amicus Curiae* Brief of Foundation for Individual Rights and Expression in Support of Plaintiffs’ Motion for Preliminary Injunction.” *See* ECF No. 33-1.

Because the court denied Plaintiffs' motion for preliminary injunction on April 18, 2025, ECF Nos. 39 & 45, FIRE's motion to participate as amicus with respect to that motion is moot. *See, e.g., Smith v. Aroostook Cnty.*, 922 F.3d 41, 42 (1st Cir. 2019) (affirming trial court decision granting motion for preliminary injunction and denying as moot amici motions to participate on appeal).

Because FIRE's motion is moot, Defendants do not address the merits of their motion. Defendants reserve all rights to oppose, on any basis, any future request by FIRE to participate as *amicus curiae* in this case.

Based on the foregoing, Defendants request that the court deny FIRE's pending motion as moot.

Date: April 24, 2025

Respectfully submitted,

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CERTIFICATE OF SERVICE

I, Kimberly L. Patwardhan, hereby certify that on April 24, 2025, I electronically filed the Defendants' Response to Motion to Participate as Amicus Curiae filed by Foundation for Individual Rights and Expression with the Clerk of Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

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